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GENERAL ASSEMBLY
Forty-fifth session
Agenda items 35 and 153
THE SITUATION IN THE MIDDLE EAST
IRAQI AGGRESSION AND THE CONTINUED OCCUPATION OF KUWAIT IN FLAGRANT VIOLATION OF THE CHARTER OF THE UNITED NATIONS

SECURITY COUNCIL
Forty-sixth year

Letter dated 1 March 1991 from the Permanent Representative of Luxembourg to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the French and English texts of the statement on the Gulf issued on 28 February 1991 by the European Community and its 12 member States.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda items 35 and 153, and of the Security Council.

(Signed) Jean FEYDER
Ambassador
Permanent Representative

READEX FICHE

ANNEX

Statement on the Gulf issued on 28 February 1991
by the European Community

The Community and its member States welcome the suspension of military operations in the Gulf.

The Community and its member States are greatly satisfied that Kuwait has recovered its freedom and that international legality has been restored. They express their gratitude to all States that committed forces to the cause of ensuring respect for the resolutions of the Security Council of the United Nations.

They pay their respects to all those who have lost their lives in this conflict.

They note Iraq's acceptance of the 12 resolutions of the Security Council of the United Nations and express the hope that its Government will rapidly accept the conditions put forth by the coalition.

It is now the task of the Security Council of the United Nations to define the necessary arrangements to put an end to the conflict.

As they stated on the day on which military operations began, the Community and its member States reaffirm their commitment to contribute to bringing about for all the peoples of the region, in dignity and security, a future of peace, stability and development in a context of social justice and regional economic solidarity.

To this end, they will make a major effort to develop an overall approach with regard to the region, bearing at one and the same time on security questions, political problems and economic cooperation.

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GENERAL ASSEMBLY
Forty-fifth session
Agenda item 153
IRAQI AGGRESSION AND THE CONTINUED OCCUPATION OF KUWAIT IN FLAGRANT VIOLATION OF THE CHARTER OF THE UNITED NATIONS

SECURITY COUNCIL
Forty-sixth year

Letter dated 4 March 1991 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the Secretary-General

I have the honour to transmit to you the text of a letter from His Royal Highness Prince Saud Al-Faisal, the Foreign Minister, addressed to you.

I should be grateful if you would kindly have the present letter and the attached text circulated as a document of the General Assembly, under agenda item 153, and of the Security Council.

(Signed) Samir S. SHIHABI
Ambassador
Permanent Representative

ANNEX

Letter dated 4 March 1991 from the Foreign Minister of Saudi Arabia addressed to the Secretary-General

As you are aware, the Iraqi régime has spilled more than 10 million barrels of crude oil into the waters of the Gulf, thus creating an environmental disaster that is considered the worst of its kind in history, and has waged an environmental war without regard for its neighbouring countries or for the lives of animals and plants in the region.

I do not need to mention to you that this oil pollution caused by the Iraqi régime is premeditated and intentional and is considered an irresponsible act of aggression against humans and natural resources with all the related living organisms and unique natural heritage; this, in addition to the great harm that befell many civilians who live on the coast of the Gulf, many of whom make their living from fishing or from the other resources of the sea.

This damage was reflected in particular in many human activities that are related to the waters of the Gulf, such as fisheries, desalination and other human activities, whose effect could extend to the next generation, as the Gulf is a shallow body of water and the rate of water renewal with the Indian Ocean is extremely slow because of the natural impediment presented by the Strait of Hormuz.

I would like to mention to you on this occasion some of the important natural resources that were actually exposed to danger as a result of the pollution that resulted from this environmental catastrophe and was caused by the Iraqi régime:

- Coral reefs;
- Sandy beaches;
- Al-shora plant (manjaroof);
- Seaweed;
- Lagoons;
- Tortoises and sea turtles;
- Sea and shore birds;
- The coastal environment;
- Fish and non-vertebrates.

Because the danger of crude oil leakage into the waters of the Gulf is continuing and its destructive effects have not become fully apparent, the Government of the Kingdom of Saudi Arabia will continue to monitor the environmental developments that will undoubtedly occur and keep you informed in this regard.

At the same time, I would like to communicate the Government of Saudi Arabia's willingness to receive technical assistance to face the expected dangers, whether from the Member States of the United Nations or from concerned specialized agencies.

May I request you kindly to distribute the present message as a document of the General Assembly and the Security Council.

Saud AL-FAISAL
Foreign Minister of the
Kingdom of Saudi Arabia

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General Assembly Security Council

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5 March 1991
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GENERAL ASSEMBLY
Forty-fifth session
Agenda item 153
IRAQI AGGRESSION AND THE CONTINUED OCCUPATION OF KUWAIT IN FLAGRANT VIOLATION OF THE CHARTER OF THE UNITED NATIONS

SECURITY COUNCIL
Forty-sixth year

Letter dated 5 March 1991 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General

I have the honour to forward herewith the text of the statement made today by His Excellency Sheikh Sabah Al Ahmad Al Jaber Al Sabah, Deputy Prime Minister and Minister for Foreign Affairs of the State of Kuwait (see annex).

I should appreciate it if you would arrange for the present letter and its annex to be circulated as an official document of the General Assembly, under agenda item 153, and of the Security Council.

(Signed) Mohammad A. ABULHASAN
Ambassador
Permanent Representative

ANNEX

Statement made on 5 March 1991 by the Deputy Prime Minister and Minister for Foreign Affairs of Kuwait

Some irresponsible parties in Palestinian circles have been deliberately circulating false allegations and slanders to the effect that the official authorities in Kuwait have initiated certain practices against the Palestinian community residing in Kuwait. In doing so, those parties aim only to spread a spirit of resentment and disunity in a blatant attempt to cast themselves as the defenders of the fraternal Palestinian people.

As all are aware, the State of Kuwait has embraced expatriates from all parts of the world, including the fraternal Palestinian community, and provided them with the means to make a decent and comfortable living. It has done so on the basis of its belief in its Arab, Islamic and humanitarian obligations and its constant keen commitment to noble Arab values and principles.

Following the wicked occupation of Kuwait's land and people by the Iraqi forces for more than six months, the Kuwaiti authorities resumed - immediately the hated Iraqi occupation was ended - their normal duties of maintaining security in Kuwait. The criminal Iraqi occupiers had destroyed all the country's assets and set up a gang of conspirators and collaborators with a view to achieving their aim of perpetuating the occupation. In order to perform their duty of establishing security and stability in the country, the Kuwaiti authorities are obliged relentlessly to pursue any criminal elements, from whatever community they may come, and to show them no leniency, because those elements have not treated Kuwait and the security of its people in a manner consistent with the dictates of their position as expatriates and guests.

In categorically rejecting these allegations, Kuwait draws attention to its honourable record in its dealings with all those living in its territory and affirms that allegations by diseased minds such as these are false and utterly untruthful. The right of Kuwait to ensure and enhance its security can in no way be interpreted as being directed against any honourable person in the territory of Kuwait - the land of love and peace and the community of building and giving.

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General Assembly Security Council

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6 March 1991

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GENERAL ASSEMBLY
Forty-fifth session
Agenda items 23 and 153
QUESTION OF PALESTINE
IRAQI AGGRESSION AND THE CONTINUED OCCUPATION OF KUWAIT IN FLAGRANT VIOLATION OF THE CHARTER OF THE UNITED NATIONS

SECURITY COUNCIL
Forty-sixth year

Letter dated 6 March 1991 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General

I am instructed by the Executive Committee of the Palestine Liberation Organization, which has the powers and responsibilities of the Provisional Government of Palestine, to bring the following to your immediate attention.

The violent and hostile actions against the Palestinian people living in Kuwait continues at the hands of the armed vigilantes and some elements from the Kuwaiti army in an illegal manner. This includes terror and harassment campaigns launched in the regions of Al Noukra, Hawali, Khitan and Al Salmieh in Kuwait City, resulting in the arrests of great numbers of Palestinians; many of these actions have been covered by several media networks and news agencies. Noting further that the issue of the safety and security of the Palestinians living in Kuwait has been raised on my part with the President of the Security Council, who in turn informed the members of the Council, during the informal consultation of 3 March 1991, of my grave concern expressed to him in this regard.

The Palestine Liberation Organization believes that the Kuwaiti Government and the Arab forces, as well as the foreign forces present in Kuwait, are responsible for the safety and security of our people. At the same time, and as a result of the special existing situation, the international community and the Security Council, in particular, cannot be exempted from this responsibility.

The Palestine Liberation Organization would like to recall that the majority of Palestinians living in Kuwait are long-time residents of the country, and

expresses its hope that the Kuwaiti Government will take the initiative in presenting a clear-cut position on this situation, as well as taking action towards a concrete and immediate solution to the problem.

I should be grateful if you would arrange to have the text of the present letter circulated as an official document of the General Assembly, under agenda items 23 and 153, and of the Security Council.

(signed) Dr. Nasser AL-KIDWA
Alternate Permanent Observer of
Palestine to the United Nations
Chargé d'affaires a.i.

UNITED
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General Assembly

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A/45/973
13 March 1991

ORIGINAL: ENGLISH

Forty-fifth session
Agenda item 100

CRIME PREVENTION AND CRIMINAL JUSTICE

Appointment of the members of the Intergovernmental Working Group on a Crime Prevention and Criminal Justice Programme

Note by the Secretary-General

1. In paragraph 1 of resolution 45/108 of 14 December 1990, the General Assembly decided to establish an intergovernmental working group, which, on the basis of the report of the Committee on Crime Prevention and Control entitled "The need for the creation of an effective international crime and justice programme", would produce a report elaborating proposals for an effective crime prevention and criminal justice programme and suggesting how that programme could most appropriately be implemented. The General Assembly requested the President of the Assembly, in consultation with the chairmen of the regional groups, to appoint no more than 30 Member States on the basis of the principle of equitable geographical distribution to constitute the membership of the Working Group.

2. The Secretary-General has received from the President of the General Assembly the following communication, dated 11 March 1991:

> I have the honour to refer to General Assembly resolution 45/108 of 14 December 1990 regarding the establishment of an intergovernmental working group to elaborate proposals on a crime prevention and criminal justice programme and the appointment of members of that Working Group.
>
> During consultations with the chairmen of the regional groups it was proposed that the Working Group should consist of 29 members and should have the following geographical distribution of seats:

African States	8
Asian States	6
Eastern European States	3
Latin American and Caribbean States	6
Western European and other States	6

Following my consultations with the chairmen of the regional groups, I hereby appoint with immediate effect the following countries to be members of the Working Group:

African States (8)	Asian States (6)	Eastern European States (3)	Latin American and Caribbean States (5)	Western European and other States (6)
Burkina Faso	China	Poland	Argentina	Australia
Egypt	India	Union of Soviet Socialist Republics	Colombia	France
Libyan Arab Jamahiriya	Indonesia	Yugoslavia	Costa Rica	Germany
Malawi	Japan		Cuba	Sweden
Nigeria	Malaysia		Nicaragua	United Kingdom of Great Britain and Northern Ireland
Sudan	Philippines		Trinidad and Tobago	United States of America
Uganda				

Regarding the remaining seat to be filled from the Group of African States, it is my intention to appoint a member as soon as consultations with the Chairman of the Group are concluded.

3. As a result of the above appointment, the Intergovernmental Working Group on a Crime Prevention and Criminal Justice Programme is composed of the following members: Argentina, Australia, Burkina Faso, China, Colombia, Costa Rica, Cuba, Egypt, France, Germany, India, Indonesia, Japan, Libyan Arab Jamahiriya, Malaysia, Malawi, Nicaragua, Nigeria, Philippines, Poland, Sudan, Sweden, Trinidad and Tobago, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Yugoslavia.

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15 March 1991

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Forty-fifth session
Agenda item 100

CRIME PREVENTION AND CRIMINAL JUSTICE

Appointment of a member of the Intergovernmental Working Group on a Crime Prevention and Criminal Justice Programme

Note by the Secretary-General

1. Further to his communication dated 11 March 1991 (see A/45/973, para. 2), the President of the General Assembly informed the Secretary-General on 15 March 1991 that, having concluded his consultations with the Chairman of the Group of African States, he had appointed Ghana with immediate effect as a member of the Intergovernmental Working Group on a Crime Prevention and Criminal Justice Programme.

2. The Intergovernmental Working Group on a Crime Prevention and Criminal Justice Programme is thus composed of the following 29 members: Argentina, Australia, Burkina Faso, China, Colombia, Costa Rica, Cuba, Egypt, France, Germany, Ghana, India, Indonesia, Japan, Libyan Arab Jamahiriya, Malaysia, Malawi, Nicaragua, Nigeria, Philippines, Poland, Sudan, Sweden, Trinidad and Tobago, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Yugoslavia.

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Forty-fifth session
Agenda item 153
IRAQI AGGRESSION AND THE CONTINUED OCCUPATION OF KUWAIT IN FLAGRANT VIOLATION OF THE CHARTER OF THE UNITED NATIONS

SECURITY COUNCIL
Forty-sixth year

Letter dated 13 March 1991 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement issued on 13 March 1991 by a spokesman of the Ministry of Foreign Affairs of Japan on an additional contribution to the Gulf Peace Fund (see annex).

I should be grateful if you would arrange to have the text of the present letter and its annex circulated as an official document of the General Assembly, under agenda item 153, and of the Security Council.

(Signed) Yoshio HATANO
Ambassador Extraordinary
and Plenipotentiary
Permanent Representative of
Japan to the United Nations

ANNEX

Statement issued on 13 March 1991 by a spokesman of the Ministry of Foreign Affairs of Japan on an additional contribution to the Gulf Peace Fund

On Wednesday, 13 March, the Government of Japan extended an additional contribution of 1.17 trillion yen to the Gulf Peace Fund, which was set up by the Co-operation Council for the Arab States of the Gulf (GCC) in order to support countries undertaking activities to restore peace and stability in the Gulf region in accordance with relevant resolutions of the United Nations Security Council. This additional contribution is based on notes exchanged on 12 March between the Government of Japan and the GCC, and follows the contributions of 122.88 billion yen in September 1990 and 130 billion yen in December 1990.

The liberation of Kuwait has been realized, but the burden of the countries working for the restoration of peace and stability in the Gulf region is exceedingly heavy. The Government of Japan has extended this contribution, recognizing that it is indispensable for Japan to assume responsibility commensurate with its status in the international community and within the framework of its Constitution and that it should continue to contribute actively to international efforts for restoring peace and stability in the region.

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GENERAL ASSEMBLY
Forty-fifth session
Agenda item 28
THE SITUATION IN CENTRAL AMERICA:
THREATS TO INTERNATIONAL
PEACE AND SECURITY AND
PEACE INITIATIVES

SECURITY COUNCIL
Forty-sixth year

Letter dated 12 March 1991 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement issued on 12 March 1991 by a spokesman of the Ministry of Foreign Affairs of Japan concerning the elections held in El Salvador on 10 March 1991 (see annex).

I should be grateful if you would arrange to have the present letter and its annex circulated as an official document of the General Assembly, under agenda item 28, and of the Security Council.

(Signed) Yoshio HATANO
Ambassador Extraordinary
and Plenipotentiary
Permanent Representative of Japan
to the United Nations

ANNEX

Statement issued on 12 March 1991 by a spokesman of the Ministry of Foreign Affairs of Japan concerning elections in El Salvador

The Government of Japan welcomes the elections for members of the National Congress and local legislatures that were held on 10 March in a quiet and peaceful atmosphere in El Salvador, a country that has been beset with hostilities between the Government and the Farabundo Martí Front for National Liberation (FMLN) for more than 10 years. Recognizing the importance of these elections, and at the invitation of the Government of El Salvador, the Government sent four officials to serve as election observers.

It is the sincere hope of the Government of Japan that the elections will give further impetus to the dialogue between the parties concerned and to the restoration of peace throughout the country as soon as possible.

In view of this encouraging development, the Government of Japan has decided to send a survey mission to El Salvador on 21 and 22 March 1991 in order to determine which kind of cooperation it might best extend for the country's economic and social development.

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14 March 1991

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Agenda item 43
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-sixth year

Letter dated 13 March 1991 from the Chargé d'affaires a.i. of Cyprus to the United Nations addressed to the Secretary-General

I beg to refer to the letter by the Permanent Representative of Turkey addressed to you (A/45/904-S/22028) and enclosures emanating from the illegal entity created in the occupied part of Cyprus by Turkey in direct contravention of United Nations Security Council resolutions 541 (1983) and 550 (1984).

Since Turkey has recently launched a campaign of misinformation concerning the substance of the latest Security Council resolution on Cyprus, 649 (1990), a reply is called for.

The Turkish allegations attempt to create the impression that Turkey and the Turkish Cypriots have accepted resolution 649 (1990) in all aspects and that the Government of Cyprus is opposing its application. This is far from the truth.

It might be recalled that resolution 649 (1990) was adopted at the request of the Secretary-General to the Security Council following the impasse created by Mr. Denktash in New York in February 1990 with his demand for a recognition of "two peoples" in the island of Cyprus and a separate right of self-determination for the Turkish-Cypriot community.

In fact, the United Nations Secretary-General, in a statement on 2 March 1990, clearly placed the responsibility for the collapse of the dialogue on Mr. Denktash when he said: "In the course of our discussion Mr. Denktash stated that the term 'communities' be used in a manner that is synonymous with the term 'peoples', each having a separate right to 'self-determination' a terminology that is different from that used by the Security Council has thus posed more than a semantic problem. Unless acceptable to both sides, any change in terminology could alter the conceptual framework to which all have thus adhered".

The provisions of this very carefully drafted resolution constitute an unequivocal repudiation of these claims by Mr. Denktash and Turkey. The thrust of its contents, thus, amounts to a clear condemnation of their unattainable claims and reaffirms the basis for the intercommunal negotiations enhancing the role of the Secretary-General in his mandate for good offices.

The substance of the Cyprus problem has been addressed by a number of decisions of the United Nations including mandatory resolutions of the Security Council covering all aspects of the Cyprus problem. These resolutions are specifically recalled by resolution 649 (1990) and it might be pertinent to recollect the provisions of a number of Security Council resolutions addressing the Cyprus problem:

(a) Resolution 367 (1975)

"1. Calls once more on all States to respect the sovereignty, independence, territorial integrity and non-alignment of the Republic of Cyprus and urgently requests them, as well as the parties concerned, to refrain from any action which might prejudice that sovereignty, independence, territorial integrity and non-alignment, as well as from any attempt at partition of the island or its unification with any other country.

(b) Resolution 541 (1983)

"1. Deplores the declaration of the Turkish Cypriot authorities of the purported secession of part of the Republic of Cyprus;

"2. Considers the declaration referred to above as legally invalid and calls for its withdrawal;

...

"7. Calls upon all States not to recognize any Cypriot State other than the Republic of Cyprus;"

(c) Resolution 550 (1984)

"The Security Council,

...

"2. Condemns all secessionist actions, including the purported exchange of ambassadors between Turkey and the Turkish Cypriot leadership, declares them illegal and invalid and calls for their immediate withdrawal;

"3. Reiterates the call upon all States not to recognize the purported State of the 'Turkish Republic of Northern Cyprus' set up by secessionist acts and calls upon them not to facilitate or in any way assist the aforesaid secessionist entity;".

These resolutions and the high-level agreements have been blatantly and systematically violated by Turkey in contravention of its obligations according to Article 25 of the Charter of the United Nations. In resolution 649 (1990), the Security Council "reaffirmed its support for the 1977 and 1979 High-Level Agreements between the leaders of the two communities in which they pledged themselves to establish a bicommunal Federal Republic of Cyprus that will safeguard its independence, sovereignty, territorial integrity and non-alignment, and exclude union in whole or in part with any other country and any form of partition or secession".

The said provision clearly rejects the Turkish attempts to introduce new partitionist demands in the form of the so-called separate right to "self-determination" and the "two peoples" theory, and stresses the exclusion of partition or secession, while reaffirming the objective of the establishment of a bicommunal Federal Republic of Cyprus. The frequent reference in the resolution of the terms "communities" also provides a silencing reply to the Turkish preconditions.

The Government of the Republic of Cyprus has expressed its acceptance of resolution 649 (1990) and its readiness to abide by its provisions. On the contrary, Turkey continues to contravene all United Nations resolutions with the continuation of the occupation of part of the Republic and at the same time making statements and taking actions that demonstrate their determination not to abide by their Charter obligations. They also incredibly interpret the resolutions as recognizing the existence of two "peoples" and two "States" in Cyprus (see annex with recent statements by Turkish and Turkish Cypriot officials). In addition steps have already been taken to prepare the ground for the settlement of Varosha by people other than its inhabitants, in flagrant violation of the provisions of Security Council resolution 550 (1984).

Despite the provocative actions of the Turkish side, which are calculated to undermine the mission of good offices of the Secretary-General in defiance of Security Council resolution 649 (1990) and all other relevant Security Council resolutions, the Government of Cyprus remains committed to a bicommunal federal solution to the Cyprus problem on the basis of the high-level agreements and through the full implementation of all the Security Council resolutions on Cyprus, including resolution 649 (1990). Such a solution should provide the withdrawal of the Turkish troops and settlers, return of refugees, should safeguard the political independence and territorial integrity of Cyprus and should fully protect and guarantee the human rights and fundamental freedoms of all Cypriots.

We, therefore, call upon Turkey to return to the negotiating table in good faith and to implement all United Nations resolutions, including resolution 649 (1990).

I should be grateful if the present letter were circulated as a document of the General Assembly, under item 43, and of the Security Council.

(Signed) Petros EFTYCHIOU
Chargé d'affaires a.i.
Permanent Mission of Cyprus
to the United Nations

ANNEX

Recent statements of the Turkish side

1. Letter of Mr. Denktash to the Secretary-General of the Commonwealth dated 26 November 1990:

"... We are in the twenty-seventh year of the Cyprus problem partly because most of those interested in its settlement take a prototypal approach and refuse to look into the origin of the conflict, thus, discovering the crux of the differences that divide the two national peoples of the island".

"... Now a new partnership has to be set up; one which will be based on the absolute equality of the two sides and prevent a recurrence of past sufferings. The equality of the two sides has been reconfirmed most recently by the United Nations Secretary-General in his report of 8 March 1990 to the Security Council. In that report the Secretary-General underlined that Cyprus is the common home of the Turkish Cypriots and Greek Cypriots and that the relationship between them is not one of majority and minority but one of equals".

"... We are not going to sacrifice our national identity, nor our right of self-determination for the sake of an artificial 'unity'".

2. R. Denktash, Yeniduzen, 5 December 1990

"The ground for the establishment of a federation does not exist in Cyprus and it must be abandoned. No matter what anybody says we shall not turn back on the road we are following, we shall not change our course".

3. A. K. Alptemocin, Turkish Foreign Minister during his visit to the occupied area: Bayrak radio, 8 December 1990

"There is no difference between our views and those of Mr. Denktash. Turkey is for a comprehensive solution and there cannot be concessions on partial issues. There cannot be agreement on isolated issues".

4. Letter dated 16 January 1991 from Mr. Denktash to the Secretary-General of the Council of Europe

"... Our appeal to you involves legal and moral arguments in support of the fact that even long before November 1990, there was no joint Government of Cyprus competent to represent both of the two peoples of the island".

5. A. K. Alptemocin, Yeni Gun, 30 January 1991

"After the crisis, as seen in the strengthening European trends for patterns on National equality, as in the case of the Czech and Slovak Federal Republic, a federal and confederal state structure based on absolute equality of the Turkish and Greek Cypriot communities".

6. Foreign Ministry Spokesman, Murat Sungar, Anatolian ... Agency, 6 February 1991

"The true world knows that this problem can only be solved through an agreement between the two equal peoples of the island. The goodwill mission of the United Nations Secretary-General is also directed to this end. Security Council resolution No. 649 (1990) calls for an agreement to be reached through free negotiations within the framework of equality".